

Message Text

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ACTION DLOS-06

INFO OCT-01 IO-13 ISO-00 AF-08 ARA-10 EA-09 EUR-12 NEA-10

ACDA-10 AGR-10 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

CIEP-02 COME-00 DODE-00 DOTE-00 EB-07 EPA-04 ERDA-07

FMC-02 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03

NSAE-00 NSC-05 NSF-02 OES-06 OMB-01 PA-02 PM-04

PRS-01 SP-02 SS-15 USIA-15 SAL-01 FEA-01 /190 W

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FROM USLOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: UNCLASSIFIED WEEKLY SUMMARY LOS CONFERENCE

AUGUST 9-13, 1976

1. VISIT OF THE SECRETARY: THE SECRETARY VISITED THE CONFERENCE ON FRIDAY, AUGUST 13 FOR MEETINGS WITH THE U.S. DELEGATION, BILATERAL MEETINGS WITH REPRESENTATIVES OF INDIA, KENYA, MEXICO, FRG, EGYPT, JAPAN AND THE USSR. THE SECRETARY HOSTED A LUNCHEON FOR THE OFFICERS OF THE CONFERENCE: MINISTER JENS EVENSEN, ACTING CHAIRMAN OF CONFERENCE, NORWAY, BERNARDO ZULETA, UN SECRETARIAT, UNDER SECRETARY GENERAL; MR. PAUL ENGO, CHAIRMAN, COMMITTEE I, CAMEROON; AMB. ANDRES AGUILAR, CHAIRMAN, COMMITTEE II, VENEZUELA; AMB. ALEXANDER YANKOV, CHAIRMAN, COMMITTEE III, BULGARIA; AMB. ALAN BEESLEY, CHAIRMAN, DRAFTING COMMITTEE, CANADA; AMB. KENNETH RATTRAY, RAPPORTEUR, JAMAICA; AND DAVID HALL, UN SECRETARIAT. THE SECRETARY STRESSED THE IMPORTANCE

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OF REACHING AGREEMENT IN SUBSTANCE AT THIS SESSION,

WHILE EMPHASIZING THAT THERE WERE LIMITS BEYOND WHICH THE U.S. COULD NOT GO. HE INDICATED THAT THE PURPOSE OF THIS VISIT WAS TO HEAR FIRST HAND THE ASSESSMENTS OF OTHERS AS TO THE OUTSTANDING PROBLEMS, AND WOULD HOPE TO RETURN LATER IN THE SESSION.

COMMITTEE I:

2. MOST OF THE WEEK IN COMMITTEE I (CI) WAS DEVOTED TO MEETINGS OF THE GROUP OF 77 (G-77) WHICH WAS SEEKING TO REACH AN AGREED POSITION ON THE SYSTEM OF EXPLOITATION (ARTICLE 22 AND ANNEX I), THE FIRST ITEM ON CI'S WORKING GROUP'S AGENDA. WORKING GROUP HELD TWO MEETINGS ON PROCEDURE AT BEGINNING OF WEEK AND CI MET FORMALLY A.M. OF AUGUST 13 TO RECEIVE REPORT OF TWO CO-CHAIRMEN.

3. THERE APPEARS TO BE LITTLE CHANCE THAT CI WILL MOVE INTO USEFUL NEGOTIATIONS THIS COMING WEEK, BUT RATHER CAN BE EXPECTED TO ENGAGE IN GENERAL, INFORMAL DEBATE ON MANY ASPECTS OF THE SYSTEM OF EXPLOIATION. THIS CONCLUSION IS WARRANTED BECAUSE SOME G-77 SPOKESMEN CONTINUE TO EXPRESS GENERALIZED DISSATISFACTION WITH RESULTS OF LAST SESSION (REVISED SNT), CLAIMING THAT PRESENT TEXT GOES TOO FAR IN DIRECTION OF INDUSTRIALIZED COUNTRIES. IF G-77 FOLLOWS THIS LEAD IN INFORMAL DEBATE ON SYSTEM OF EXPLOITATION, INDUSTRIALIZED COUNTRIES MAY FEEL COMPELLED TO BACK AWAY FROM COMPROMISE SOLUTIONS CONTAINED IN RSNT. ACCORDINGLY, US DEL IS NOT OPTIMISTIC THAT FRUITFUL NEGOTIATIONS FOR THE WEEK AHEAD WILL OCCUR.

COMMITTEE II:

4. COMMITTEE II CONTINUED MEETING IN SEPARATE NEGOTIATING GROUPS (NG) PURSUING THE OBJECTIVE OF FINDING SOLUTIONS TO PRIORITY ISSUES. IN NG I, DEBATE CONTINUED OVER THE STATUS OF THE ECONOMIC ZONE WITH APPROXIMATELY HALF THE STATES INSISTING THAT IT BE CHARACTERIZED AS A SUI GENERIS ZONE, OR A ZONE OF NATIONAL JURISTITION , WHILE AN EQUAL NUMBER OF STATES CONTINUED TO INSIST THAT EXCEPT FOR CERTAIN UNCLASSIFIED

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SPECIFIED RIGHTS (INCLUDING RESOURCES), THE HIGH SEAS STATUS SHOULD BE RECOGNIZED. IN NG II (ACCESS BY LANDLOCKED STATES TO THE SEA), THE DEBATE CENTERED MAINLY ON THE QUESTION WHETHER SUCH RIGHTS SHOULD BE RECIPROCAL, AND THE PRECISE NATURE OF TRANSIT. IN NG III, THE ISSUES CONTINUED TO BE THE DEFINITION OF THE OUTER LIMIT OF THE CONTINENTAL MARGIN AND REVENUE SHARING. MANY DELEGATIONS CONTINUED TO INSIST THAT

THE LEGAL MARGIN BE COINCIDENT WITH THE ECONOMIC ZONE (200 MILES) WHILE A LARGE NUMBER OF DELEGATIONS SOUGHT A REASONABLE COMPROMISE FORMULA ON JURISDICTION OVER THE MARGIN BEYOND 200 MILES COUPLED WITH REVENUE-SHARING.

5. COMMITTEE III. WORK OF THE THIRD COMMITTEE CONTINUED AT A SLOW PACE DURING THE WEEK OF 9-13 AUGUST. THE FULL COMMITTEE FINISHED ITS DISCUSSION OF THE MARINE SCIENTIFIC RESEARCH REGIME. THAT ITEM IS NOW UNDER CONSIDERATION BY A SMALLER WORKING GROUP OF APPROXIMATELY 30 NATIONS UNDER THE LEADERSHIP OF CHAIRMAN YANKOV. DISCUSSIONS ARE STILL PRELIMINARY WITH NO COMPROMISE YET COMING INTO FOCUS ON THE PROBLEM OF SCIENTIFIC RESEARCH IN THE ECONOMIC ZONE, WITH US MAKING CLEAR ITS OBJECTIONS TO CURRENT TEXT.

DISPUTE SETTLEMENT

6. INFORMAL PLENARY COMPLETED REVIEW OF ARTICLES 9 AND 10 OF PART IV, WHICH ESTABLISH THE CHOICE OF FORUM AND JURISDICTION, AS WELL AS RELATIONSHIPS AMONG AVAILABLE PROCEDURES. MOST SPEAKERS WISHED TO SIMPLIFY THE SYSTEM, WITH MANY OPPOSING ALTERNATIVE SPECIAL PROCEDURES ON FISHING, SCIENCE, AND POLLUTION PROVIDED FOR IN ARTICLE 9, PARA 1(D), AND USSR STRONGLY SUPPORTING SUCH PROCEDURES. THE RELATINSHIP OF THE SPECIAL PROCEDURES WAS OFTEN CRITICIZED ON THE GROUNDS THAT THE DISTINCTION BETWEEN INTERPRETATION AND AND APPLICATION OF THE CONVENTION WAS TOO SUBTLE TO BE WORKABLE. MANY URGED THAT THE SPECIAL

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PROCEDURES BE DELETED OR GIVEN AUTHORITY BOTH TO INTERPRET AND TO APPLY THE CONVENTION. ARTICLE 10 (JURISDICTION) WAS WIDELY CRITICIZED AS SUPERFLUOUS, ALTHOUGH A NUMBER OF DELEGATIONS POINTED OUT THAT THE VARIOUS JURISDICTIONAL PROVISIONS COULD NOT BE SETTLED UNTIL THE FRAMEWORK OF THE SYSTEM WERE BETTER SETTLED.
BENNETT

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